

EDWARD MANGANO
County Executive



JOHN CIAMPOLI
County Attorney

**COUNTY OF NASSAU
OFFICE OF THE COUNTY ATTORNEY
One West Street
Mineola, New York 11501-4820
516-571-3056
FAX: 516-571-3058**

Writer's Telephone: 516-571-6190
Writer's Facsimile: 516-571-3058
Writer's E-Mail: dpetillo@nassaucountyny.gov

April 26, 2012

VIA ECF

Magistrate Judge Leonard Lindsay
United States District Court
Eastern District of New
York
100 Federal Plaza
Central Islip, New York 11722

Re: *Davis v. County of Nassau, et al*
11-CV-0076 (LDW) (ARL)

Dear Judge Lindsay:

This Office represents the County of Nassau in the above-referenced civil action. We write at this time to clarify our position with respect to Plaintiff's motion seeking to file a Second Amended Complaint in this matter. *See* DE 17.

Our office has no objection to the inclusion of John Does in the Complaint; however, we object to the amendment of the Notice of Claim to include a State Law negligence claim as this application must be brought in State Supreme Court and cannot properly be made before this Court. *See* DE 14.

Respectfully submitted,
_____/dcp/_____
Diane C. Petillo
Deputy County Attorney